GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:3504
ANSWERED ON:06.08.2002
DIRECTIONS TO STATE BY SUPREME COURT
SUKDEO PASWAN

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Supreme Court of India in its orders of 19.10.2001 has directed the State Governments and Union Territories to constitute a Committee for monitoring the 11 directions as spelt out in the case of Dilip K. Basu Vs State of West Bengal & Ors.;

(b) if so, the details thereof;

(c) whether State Governments and UTs have constituted committees;

(d) if so, the details thereof; and

(e) the action taken by State Governments/UTs to ensure that directions of Supreme Court are being implemented?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI)

(a)&(b): The Supreme Court vide its order dated 19.10.2001 passed in Criminal Miscellaneous Petition No.12704/2001 in Writ Petition (Crl.) No. 539/86 Dilip K. Basu Versus State of West Bengal & Ors. Requested the Chairmen of the State Human Rights Commission of different States/Union Territories to constitute a sub-committee in the Human Rights Commission for monitoring to ensure that the 11 `requirements` laid down by the Court in its order dated 18.12.1996 in D.K. Basu`s case, are implemented in letter and spirit. In the States/Union Territories, where Human Rights Commissions have not been set up, the Court requested the Chief Justice of the High Court concerned to constitute a Committee, as found appropriate for the same purpose and the directions given in regard to the State Human Rights Commissions would equally apply to the said Committees also.

The Supreme Court further directed that the report of the Sub Committees would be directly submitted to the Supreme Court who shall be monitoring this directly.

(c)to(e): Since the Supreme Court is monitoring this case, the States/UT Administrations are submitting their compliance reports directly to the Court.